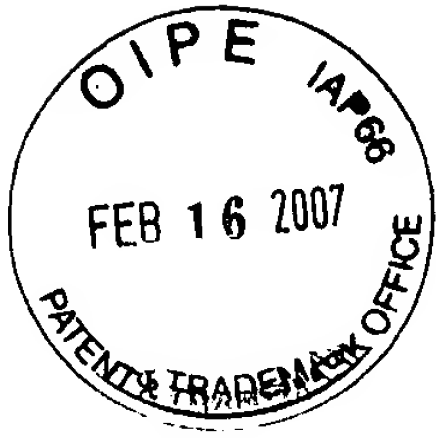


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Express Mail Label No. EV 326 973 090 US

Attorney Docket No. 37167-8039.US01 (13724-845)



Applicant: Balbierz and Johnson  
Serial No.: 09/823,910  
Filing Date: March 30, 2001  
Patent No. 7,025,765  
Issue Date: April 11, 2006  
For: TISSUE BIOPSY AND  
TREATMENT APPARATUS  
AND METHOD

Examiner: VRETTAKOS, P.  
Group Art Unit: 3739  
Confirmation No. 7532

Date of First/Original Notice of Allowance: MAY 7, 2004

**Correction of Entity Status and Payment of Deficiency**  
**in Fees Under 37 CFR §1.28(c)**

Mail Stop Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Statement of Facts in accord with 37 CFR §1.28(c)(1)**

1. Small Entity Status of this application was established by an assertion in writing January 19, 1998. All fees paid to date for examination of the application have been paid at the small entity rate.

2. Subsequent to the filing date, Applicant's Representative became aware that the above-referenced application became subject to Large Entity fees in 2003.

3. Thus, the entity status of the present application was established in good faith at the time of filing the application, yet should now be large entity.

**PAYMENT OF FEES IN ACCORD WITH 37 CFR §1.28(c)(2)**

Enclosed herewith is a check in the amount of **\$1,300.00**, which covers the difference in fees paid.

02/21/2007 AWONDAF1 00000074 09823910

01 FC:1801  
02 FC:1251  
03 FC:1252

790.00 OP  
120.00 OP  
450.00 OP

37167-8039.US01/LEGAL13035290.1

02/21/2007 TTRAN2 00000058 502207 09823910

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01 FC:1501 160.00 DA 1240.00 OP

ITEMIZATION OF THE DEFICIENCY IN PAYMENT IN ACCORD WITH 37 CFR §1.28(c)(2)(i-ii)

Description of Fee	Date Fee was Submitted to USPTO	Small Entity Fee Paid	Deficiency in Fee
2-mo. Time Extension	April 29, 2003	\$205.00	\$205.00
Request for Continued Examination	September 3, 2003	\$375.00	\$375.00
1-mo. Time Extension	April 5, 2004	\$55.00	\$55.00
Issue Fee	August 9, 2004	\$665.00	\$665.00

Although no additional fees are believed to be required than those shown above, the Commissioner is hereby authorized to charge any deficiency in fees (or credit any overpayment) to Deposit Account 50-2207; a duplicate of this communication is provided.

Respectfully submitted,



Jacqueline F. Mahoney  
Registration No. 48,390

Date: Feb. 16, 2007

**Correspondence Address:**

Customer No. 22918

Ph: 650 838-4410



Applicant: Balbierz and Johnson  
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Mail Stop Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:
  - ☒ A Notice of Change to Large Entity Status with Statement
  - ☒ A Check in the amount of **\$1,300.00** covering the fees due.
2. Entity Status
  - ☒ Large Entity Status (37 CFR §1.9 and 1.27) is proper for this case.
3. Conditional Petition for Extension of Time:  
An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.
4. Provisional Fee Authorization  
Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,  
Perkins Coie LLP

Jacqueline F. Mahoney  
Registration No. 48,390

Date: Feb. 16, 2007

**Correspondence Address:**

Customer No. 22918  
Phone: (650) 838-4410